



## **Stormwater Management Advisory Commission**

### **Meeting Minutes**

December 6, 2018

3:00 pm

Conference Room 305  
Raleigh Municipal Building

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**Commission Members Present:** Matthew Starr, David Markwood, Claudia Graham, Jonathan Page, Mark Senior, David Webb, Ken Carper, Evan Kane, and Chris Bostic

**Staff Members Present:** Wayne Miles, Suzette Mitchell, Neil Harrison, Scott Bryant, Amy Farinelli, Justin Harcum, Laura Johnson, Lauren Witherspoon, Kevin Boyer, Ben Brow, Dale Hyatt, Craig Deal, and Veronica High

**Commission Members Absent:** Francine Durso

**Guests:** Cheryl McFadden, Nan Wehling, Marsha Presnell-Jennette, Stephanie Hanes, Amy Wazenegger, Jared Engstrom, Nancy Daly, Amos Clark, Amit Sachan, and Mark VanAuken

**Meeting called to order:** 3:00 pm by Matthew Starr (*chair*)

**1. Welcome, Introductions, Excused and Unexcused Absence**

- Ms. Claudia Graham was introduced as the new Commission member. Ms. Graham is a native of Raleigh, she believes her interest in public health and conservation will be helpful in stormwater.
- Mr. Senior made a motion to excuse Francine Durso from today's meeting, and Mr. Bostic seconded. The motion was passed unanimously.

**2. November 1, 2018 Minutes for Approval**

- Mr. Webb made a motion to approve and Mr. Bostic seconded. The motion was approved unanimously.

**3. Stormwater Staff Report**

- **Staffing Updates**
  - *No updates*
- **Hot Topics**
  - Clark Ave. Culvert Failure (*near Bellwood Dr./Peace St.*) – *The project was completed on schedule and the road opened prior to Thanksgiving.*
  - Backyard Streams Program Update (*Dale Hyatt*) – *Staff is meeting to determine on how the program is going to look and what it will entail. Staff will be looking to present at the February meeting and requesting feedback from the Commission at that time.*



- Revisions to Newsletter (*Wayne Miles on behalf of Kristin Freeman*) - Staff was searching for ways to expand the newsletter. The new format will be one sheet/ double-sided and included in the Utility Billing insert. The newsletter will reach over 163,000+ customers.
- Stormwater Management Advisory Commission Meeting - The next meeting will fall on January 3 after the holidays. Staff wanted to know if the Commission wants the original date to remain the same, or schedule for another time in January.

**Motion:**

**Mr. Kane** made a motion to move the meeting to January 10 at 3 pm and both **Mr. Senior** and **Mr. Markwood** seconded. The motion was passed unanimously.

**4. Flood Prone Area Regulations and Potential Revisions**

**Ben Brown's** presentation was a follow-up of the regulation overview from last SMAC meeting. The follow-up was on the Raleigh floodplain demographic, benchmarked municipalities, potential code changes (*staff recommendations*) and next steps.

**Commission Comments:**

**Mr. Starr** asked of the 548 parcels completely within the floodplain, is there an estimate of those that have been developed. **Ben Brown** replied he's unsure, but he will find out.

**Mr. Senior** mentioned, in the presentation, under current regulations "substantial improvement/substantial damage improvement" said the reasoning why five years was chosen was because of the five-year retention time, and that it is hard to track building records more than ten years old. **Ben Brown** said there will be tracking issues, but in the end it will even out. **Ashley Rodgers** added that with the new software staff is going to, they could capture the cost with each permit.

**Mr. Kane** asked was there an evaluation threshold used in other departments that would serve as a convenient flag. **Ben Brown** said not really, substantial damage may mean something to the Building department, but they don't keep track as much as we do.

**Ms. Graham** remarked that in residential areas in older parts of the city, it might be a financial hardship to change from 50 percent to 30 percent of the building value. **Ben Brown** said it could have that impact because after storm events that's where it becomes the biggest deal. This threshold is applicable no matter whether it is repair of storm damage or building an addition to a house.

**Mr. Senior** questions if this disproportionately effects lower income properties that may be in the floodplain. He added if they have flood insurance they should be paid for bringing it up to code if it is more than 50 percent damage, now if they don't have the insurance they would have to pay for that cost. **Ben Brown** said he will verify, but he believes the only thing flood insurance pays for is the repairs and not for the upfit.



**Mr. Page** asked if other communities have changed from the 50 percent threshold for bringing structures up to current standards by dropping down to a lower level. **Ben Brown** said, besides Charlotte he would have to check.

**Mr. Kane** would like staff to consider the relevance of stream buffers regardless of floodplain position.

**Mr. Starr** made a reference to floodproofing on the commercial side, how can it be changed or eliminated so we are not causing further problems. **Ben Brown** said if you completely prohibit development within the floodplain you would be looking at both residential and commercial. Use of an approach to maintain consistent valley stream conveyance could also be considered, and this would also apply to both residential and commercial development.

**Mr. Starr** asked the Commission if they want staff to provide additional information or further clarity

for the next SMAC meeting before getting a stakeholder process started.

- Ms. Graham would like to see where the 548 properties fall.
- Mr. Markwood said we need to look at the climate change and resiliency part.
- Mr. Bostic stated, he works in this field and there's so many different things with consequences that effects so many stakeholders. The only process he can think of is having staff to go through and spend a substantial amount of time looking through it and report back because it effects a lot of people.

**Ben Brown** noted that he will bring back more data on the use of the valley stream conveyance approach and any other property clarification the Commission wants.

**Action Items for Staff:**

- *Bring back the geographic data where the 548 parcels are located;*
- *Possibly identifying properties with or without flood insurance; and,*
- *Compare the number of repetitive losses out of the 548.*

**5. Potential Adjustment of 400-Square-Foot Exemption Associated with Small Residential Development**

**Ben Brown** referenced the memo in the agenda packet on the “*Potential adjustment of the 400-sf exemption associated with small residential development*”. The Commission recommended, and Raleigh City Council approved in 2016, that property owners have the 400-square-foot by-right exemption regardless of the impervious cap for a given zoning class. At the November 20 Raleigh Council Meeting, Council Member Stef Mendell asked staff to look at making it more of a sliding scale based on zoning class.

**Commission Comments:**

- *Leave as is.*
- *Cap at 400 and figure something out for R6 and R10.*
- *Provide information on smaller lots (R6 and R10)*
  - *The impacts on the smaller zones (environmental or financially developmental).*
  - *The number of cases where the exemption has been utilized.*
  - *The amount of cases where the 400 sq. ft. was hard to come by.*



**Mr. Starr** suggested staff look for the numbers for R6 & R10 and bring them back at the next SMAC meeting.

**Wayne Miles** said he would contact Council Member Mendell to get more clarification and see if she was looking at something more specific that prompted this request.

**6. Overview of Draft Fiscal Year 2020 Stormwater Capital Improvement Program and Budget**  
**Wayne Miles** and **Scott Bryant** updated the Commission on the draft FY20 proposed CIP budget.

Summary of Presentation -

- Proposed FY20 Budget – *decreasing neighborhood drainage, increasing water quality, increasing rehabilitation of replacing aging infrastructure.*
- Proposed FY20-FY24 Budget – *decreasing neighborhood drainage, elevating both Lake Preservation/Lake Management Evaluation and Stream Restoration.*
- 5-year total is close to \$60M.
- Categories:
  - Neighborhood Drainage Improvements – *adding three new projects (Sweetbriar/Crescent, Valley Estates, and Battleford)*
  - General Drainage Infrastructure – *increasing funding for system repair/asset rehabilitation, identifying the flood early warning system as a key program in FY21*
  - Lake Preservation/Lake Management - *new project in FY21 (Camp Pond Lake/Dam)*
  - Stream Restoration – *new project identified in FY20 (Durant Nature Preserve Stream Restoration), expanding funding for additional phases along gateway Capital Boulevard corridor*
  - Water Quality – *4 new projects for FY20 (SCMs - Glen Eden Park, Glenwood/St Mary's, St. Mary's/W. Hargett and Rose Garden bio-swale) ramping up funding for Raleigh Rainwater Rewards*
- Estimation of Citywide Needs - *(Crabtree Creek- \$175M,) (Walnut Creek-\$95M) and (Neuse River -\$2M)*
- Current funding - *encumbered \$14,783,995, current available funding \$25,082,117, projecting to encumber \$17M, prior to fiscal year end June 30, 2019.*

**Commission Comments**

**Mr. Carper** asked if there is a relationship between Drainage Assistance and Neighborhood Drainage projects. **Scott Bryant** explained that three of the new projects identified by the Drainage section were larger in scope and scale. **Dale Hyatt** added, that drainage technicians respond to drainage complaints, tracks, and logs them as they come in. There are projects that are identified as larger than drainage assistance or citywide or neighborhood issues, which we provide to Scott for inclusion in a larger category infrastructure project scenario.

**7. Raleigh Rainwater Rewards Projects**

Justin Harcum informed the Commission there are two projects up for review. He indicated the projects are not residential and are larger in scope than what is normally seen.



- **Project 1** (511 Nowell Court) - Quercus Camusis, LLC, Leaf & Limb Tree Care Service has petitioned for funding assistance to install a 2,500-gallon above-ground cistern. The project would treat runoff from 2,000 square-feet of impervious commercial roof surface. The project is in the Walnut Creek watershed and is eligible for 75 percent reimbursement. The total project cost is \$12,907, with the petitioner's 25 percent share being \$3,227 and a City Stormwater share up to \$9,680, with a 10-year maintenance agreement.

**Motion:**

**Mr. Markwood** made a motion to approve the project and **Mr. Carper** seconded. The motion was approved unanimously.

- **Project 2** (121 Hillsborough Street) – The Church of the Good Shepherd has petitioned for funding assistance to complete the installation of an 850-square-foot bioretention. The project would treat runoff from a total of 4,100 square feet of impervious parking lot. The project is in the Rocky Branch watershed within the Downtown Overlay District and is eligible for 90 percent reimbursement. The total project cost is \$41,000, with the petitioner's 10 percent share being \$4,100 and a City Stormwater share up to \$36,900, with a 10-year maintenance agreement.

The petitioner commented that she hopes the Commission will allow them to do the project.

**Motion:**

**Mr. Markwood** made a motion to approve the project and **Mr. Page** seconded. The motion was approved unanimously

**8. Public Comment**

*No Comments*

**9. Other Business**

**Mr. Starr** remarked that he would like staff to research what it would take for seats of SMAC members to be identified (*x number of seats as Community Members, x number of seats as Engineers, and x number of seats as Environmental Stakeholders, etc.*). He doesn't want the Commission placed in a situation where representation on SMAC lacks a diversity of perspectives. The Commission agreed.

**Motion:**

**Mr. Starr** made a motion for staff to look into identifying Commission seats and **Mr. Senior** seconded. The motion was passed unanimously.

**Adjournment:**

**Mr. Senior** made a motion to adjourn and **Mr. Kane** seconded. The motion passed unanimously, and the meeting adjourned at 4:59 pm.

Suzette Mitchell